

16569 U.S. PTO  
012604

[10121/00308]  
19270 U.S. PTO  
10/764619  
012604

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : **Gary McALISTER  
Robert L. SAKAL**

Serial No. : **To Be Assigned**

Filing Date : **Herewith**

For : **STAPLING AND CUTTING IN  
RESECTIONING FOR FULL THICKNESS  
RESECTION DEVICES**

Group Art Unit : **To Be Assigned**

Examiner : **To Be Assigned**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop: New Patent Application

**USPTO Customer No.: 30636**  
*(Please associate the application with this  
Customer No.)*  
**Attorney Docket No.: 10121/00308**

Express Mail Certificate	
"Express Mail" mailing label no.	EV 323 424 536 US
Date of Deposit	<u>January 26, 2009</u>
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450	
name:	<u>Oleg F. Kaplun (Reg. No. 45,559)</u>
Signature	<u><i>Oleg F. Kaplun</i></u>

**CONTINUATION APPLICATION REQUEST TRANSMITTAL  
LETTER UNDER 37 CFR 1.53(b)**

SIR:

Enclosed herewith please find the following:

1. **10 sheets of Specifications, 9 sheets of Claims and 1 sheet of Abstract.**
2. **14 sheets of Drawings.**
3. **Executed Assignment along with Recordation Cover Sheet and a check in the  
amount of 40.00.**

4. Executed Power of Attorney.
5. Executed Declaration.
6. Preliminary Amendment.
7. Returned Receipt Postcard.

Claim Priority:

Priority is claimed to U.S. Patent Application Serial No. 10/083,097 filed February 26, 2002 "Stapling and Cutting in Resectioning for Full Thickness Resection Devices" which is a continuation of application Serial No. 09/727,051, filed November 30, 2000, entitled "Stapling and Cutting in Resectioning for Full Thickness Resection Devices". The entire disclosure of these prior applications, from which a copy of the declaration, power of attorney and assignment supplied, are considered as being part of the disclosure of the accompanying application and are hereby expressly incorporated by reference herein.

Please charge the deposit account of **Fay Kaplun & Marcin, LLP**, deposit account no. **50-1492** in the amount of **\$770.00** for the filing fee calculated as shown below:


	NUMBER FILED	NUMBER EXTRA	Rate (\$)	FEE (\$)
PATENT APPLICATION - BASIC FEE				770.00
TOTAL CLAIMS	16 - 20 =	0	18.00	
INDEPENDENT CLAIMS	3 - 3 =	0	86.00	
MULTIPLE DEPENDENT CLAIM PRESENT				0.00
*Number extra must be zero or larger			TOTAL	770.00
If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	

The Commissioner is hereby authorized to charge the payment of any additional fees associated with this communication or arising during the pendency of this application, with the exception of the issue fee, to the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**.

When payment of the issue fee has previously been provided or authorized, the Commissioner is hereby authorized to charge any post issuance fees required, except for patent maintenance fees, to the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of this transmittal letter is enclosed for Deposit Account purposes.

Date: January 26, 2004

By:

  
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: 212-619-6000  
Fax: 212-619-0276